

JUN 16 2006

## FITZPATRICK, CELLA, HARPER &amp; SCINTO

650 Town Center Drive, Suite 1800  
Costa Mesa, California 92626  
(714) 540-8700

Facsimile: (714) 540-9823

## FACSIMILE COVER SHEET

**TO:** U.S. Patent & Trademark Office  
Central Facsimile

**FROM:** Frank L. Cire (Reg. No.: 42,419)

**RE:** U.S. Application No. 10/025,864  
Attn: Examiner F. Hossain  
Group Art Unit 2623  
Atty. Docket No. 00862.022477.

**FAX NO.:** (571) 273-8300

**DATE:** June 16, 2006 **NO. OF PAGES:** 3  
(including cover page)

**TIME:** 2:50 p.m. **SENT BY:** Dawn

## MESSAGE

Transmitted herewith is a Response To Restriction Requirement in response to the Office Action dated May 16, 2006.

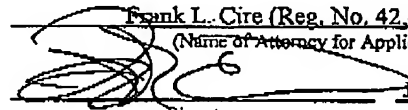
I hereby certify that this correspondence is being facsimile transmitted to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on

June 16, 2006

(Date of Transmission)

Frank L. Cire (Reg. No. 42,419)

(Name of Attorney for Applicant)



Signature

June 16, 2006

Date of Signature

**IF YOU DO NOT RECEIVE ALL THE PAGES  
PLEASE CALL 714-540-8700 AS SOON AS POSSIBLE.**

**Note:** We are transmitting from a Canon Model FAX-L770  
(compatible with any Group I, Group II or Group III machine).

THIS FACSIMILE MESSAGE AND ACCOMPANYING DOCUMENTS ARE INTENDED ONLY FOR THE USE OF THE ADDRESSEE INDICATED ABOVE. INFORMATION THAT IS PRIVILEGED OR OTHERWISE CONFIDENTIAL MAY BE CONTAINED THEREIN. IF YOU ARE NOT THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY DISSEMINATION, REVIEW OR USE OF THIS MESSAGE, DOCUMENTS OR INFORMATION CONTAINED THEREIN IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS MESSAGE IN ERROR, PLEASE NOTIFY US IMMEDIATELY BY TELEPHONE OR FACSIMILE AND MAIL THE ORIGINAL TO US AT THE ABOVE ADDRESS. THANK YOU.

JUN 16 2006

00862.022477.

PATENT APPLICATION

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: )  
YOSHIKAZU YOKOMIZO ) Examiner: F. Hossain  
Application No.: 10/025,864 ) Group Art Unit: 2623  
Filed: December 26, 2001 )  
For: INTERNET DTV SYSTEM AND )  
BROADCAST-STATION SYSTEM, )  
AUDIENCE TERMINAL, CONTENT )  
PROVIDER DEVICE, SERVER, AND )  
CONTROL METHOD AND )  
STORAGE MEDIUM ) June 16, 2006

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

RESPONSE TO RESTRICTION REQUIREMENT

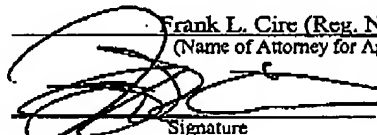
Sir:

In response to the Restriction Requirement dated May 16, 2006, Applicant hereby provisionally elects to prosecute the Group I claims, namely Claims 1 to 13. The Restriction Requirement is, however, traversed.

I hereby certify that this correspondence is being facsimile transmitted to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on

June 16, 2006  
(Date of Transmission)

Frank L. Cire (Reg. No. 42,419)  
(Name of Attorney for Applicant)


 June 16, 2006  
Signature Date of Signature

Traversal is on the ground that there would not be undue burden in examining two groups of claims in a single application. In particular, MPEP § 808 makes clear that in order to require restriction between independent or distinct inventions, reasons for insisting upon a restriction requirement, such as undue burden, must also be shown. In the present instance, it is not believed that there would be an undue burden in examining the claims of Groups I and II in a single application, since the two groups of claims are not so different as would require a burden on the Examiner that is significantly beyond that of the normal burdens of examination.

Accordingly, reconsideration and withdrawal of the Restriction Requirement are respectfully requested.

Applicant's undersigned attorney may be reached in our Costa Mesa, California office by telephone at (714) 540-8700. All correspondence should continue to be directed to our address given below.

Respectfully submitted,



Frank L. Cire  
Attorney for Applicant  
Registration No. 42,419

FITZPATRICK, CELLA, HARPER & SCINTO  
30 Rockefeller Plaza  
New York, New York 10112-3801  
Facsimile: (212) 218-2200

CA\_MAIN 116475v1